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3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE DISTRICT OF ARIZONA**

5 **IN RE BARD IVC FILTERS**
6 **PRODUCTS LIABILITY LITIGATION**

7 No. MD-15-02641-PHX-DGC

8 **AMENDED SHORT FORM COMPLAINT**
9 **FOR DAMAGES FOR INDIVIDUAL**
10 **CLAIMS**

11 Plaintiff(s) named below, for their Complaint against Defendants named below,
12 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.303-3).

13 Plaintiff(s) further show the Court as follows:

14 1. Plaintiff/Deceased Party:

15 Gregory Cannon

16 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
17 consortium claim:

18 Jane Cannon

19 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
20 conservator):

21 N/A

22 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
the time of implant:

23 Ohio

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Ohio

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:
Ohio

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court: Southern District of Ohio

8. Defendants (check Defendants against whom Complaint is made):

*C.R. Bard Inc.

*Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

*Diversity of Citizenship

Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

N/A

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making claim (Check applicable Inferior Vena Cava Filter(s)):

*Recovery® Vena Cava Filter

*G2® Vena Cava Filter

1 * G2® Express(G2®X) VenaCavaFilter

2 * Eclipse® Vena Cava Filter

3 * Meridian® Vena Cava Filter

4 * Denali® VenaCavaFilter

5 Other: _____

6 11. Date of Implantation as to each product:

7 On or about July 3, 2015

8 _____
9 12. Counts in the Master Complaint brought by Plaintiff(s):

10 * Count I: Strict Products Liability – Manufacturing Defect

11 * Count II: Strict Products Liability – Information Defect (Failure to
12 Warn)

13 * Count III: Strict Products Liability – Design Defect

14 * Count IV: Negligence - Design

15 * Count V: Negligence - Manufacture

16 * Count VI: Negligence – Failure to Recall/Retrofit

17 * Count VII: Negligence – Failure to Warn

18 * Count VIII: Negligent Misrepresentation

19 * Count IX: Negligence *Per Se*

20 * Count X: Breach of Express Warranty

21 * Count XI: Breach of Implied Warranty

22 * Count XII: Fraudulent Misrepresentation

* Count XIII: Fraudulent Concealment

- Count XIV: Violations of Applicable _____ (insert state)
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): _____ (please state the facts supporting this Count in the space immediately below)

1 RESPECTFULLY SUBMITTED this 1st day of June 2017.

2 **Roxell Richards Law Firm**

3 By: /s/

Roxell Richards
TX Bar No. 24049753
Oluwaseun "Seun" Adeyemi
TX Bar No. 24094495
Roxell Richards Law Firm
6420 Richmond Ave Ste. 135
Houston TX, 77057

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10 *Attorneys for Plaintiff*

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12 I hereby certify that on this 1st day of June, 2017, I electronically transmitted
13 the attached document to the Clerk's Office using the CM/ECF System for filing and
14 transmittal of a Notice of Electronic Filing.

15 /s/ Roxell Richards

16

17 Roxell Richards

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